

NOTICES OF RULEMAKING DOCKET OPENINGS

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening whenever an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF TRANSPORTATION - MOTOR VEHICLE DIVISION

1. **Title and its heading:** 17, Transportation
Chapter and its heading: 4, Department of Transportation - Motor Vehicle Division
Article and its heading: 2, Titles and Registration
5, Driver Licenses
8, Commercial Motor Vehicle Program
Section numbers: R17-4-220, R17-4-221, R17-4-501, R17-4-502, R17-4-805

2. **The subject matter of the proposed rule:**

R17-4-220. Third-Party Title and Registration Contractors and Processors: The Motor Vehicle Division proposes to promulgate R17-4-220 to implement the provisions of A.R.S. §§ 28-5101 through 28-5110 as to 3rd-party processing of motor vehicle registrations. The proposed rule will establish the requirements private entities and individuals must meet to obtain from the Motor Vehicle Division authorization as contractors to perform specified title and registration functions and certification as processors of vehicle titles and registrations. The proposed rule will also set forth the duties and responsibilities of private entities and individuals authorized as title and registration contractors and certified to process vehicle titles and registrations.

R17-4-221. Third-Party Vehicle Identification Contractors and Inspectors: The Division proposes to promulgate R17-4-221 to implement the provisions of A.R.S. §§ 28-5101 through 28-5110 as to 3rd-party identification and inspection of motor vehicles to verify vehicle identification numbers and odometer readings. The proposed rule will establish the requirements private entities and individuals must meet to obtain from the Motor Vehicle Division authorization as vehicle identification contractors and certification as vehicle inspectors. The proposed rule will also set forth the duties and responsibilities of private entities and individuals authorized as vehicle identification contractors and certified as vehicle inspectors.

R17-4-501. Third-Party Driver License Processor and Tester: The Motor Vehicle Division proposes to repeal existing R17-4-501, including the heading. The Motor Vehicle Division proposes to promulgate a new rule, R17-4-501, headed Third-Party Driver License Contractor and Tester, to implement the provisions of A.R.S. §§ 28-5161 to 28-5170 as to 3rd-party administration of class D or M driver license examinations and determination of full or partial eligibility for class D or M driver licenses. The proposed rule will establish the requirements private entities and individuals must meet to obtain from the Motor Vehicle Division as driver license contractors and certification as class D or M testers. The proposed rule will also set forth the duties and responsibilities of private entities and individuals authorized as driver license contractors and certified as class D or M testers.

R17-4-502. Third-Party Driver License Application Contractor and Processor: The Motor Vehicle Division proposes to promulgate R17-4-502 to implement the provisions of A.R.S. §§ 28-5161 to 28-5170 as to 3rd-party processing of class D or M driver license applications, class D or M instruction permit applications, nonoperating identification license applications, class A, B, or C commercial driver license applications, nonresident commercial driver license applications, and commercial driver instruction permit applications. The proposed rule will establish the requirements private entities and individuals must meet to obtain from the Motor Vehicle Division authorization as driver license application contractors and certification as processors of the driver license applications and permit applications listed in the preceding sentence. The proposed rule will also set forth the duties and responsibilities of private entities and individuals authorized as driver license application contractors and certified as driver license application processors.

R17-4-805. Third-Party Tester and Contract Agent: The Motor Vehicle Division proposes to repeal R17-4-805, including the heading. The Motor Vehicle Division proposes to promulgate a new rule, R17-4-805, headed Third-Party Commercial Driver License Contractor and Tester, to implement the provisions of A.R.S. §§ 28-5161 to 28-5170 as to 3rd-party commercial driver license testing and determination of commercial driver license applicant's ability to perform pretrip inspections and to exercise ordinary and reasonable control of vehicles requiring a class A, B, or C license. The proposed rule will establish the requirements private entities and individuals must meet to obtain from the Motor Vehicle Division authorization as commercial driver license contractors and certification as class A, B, or C testers. The proposed rule will also set forth the duties and responsibilities of private entities and individuals authorized as commercial driver license contractors and certified as class A, B, or C testers.

3. **A citation to all published notices relating to the proceeding:**

Notice of Rulemaking Docket Opening: 2 A.A.R. 1106, March 1, 1996.

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4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Lynn S. Golder, Rules Attorney
Address: Arizona Department of Transportation, Motor Vehicle Division
4747 North Seventh Avenue, 3rd Floor
Phoenix, Arizona 85013
Telephone: (602) 255-7941
Fax: (602) 241-1624

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

Written comments will be accepted Monday through Friday, 8 a.m. to 5 p.m., and oral comments will be accepted Monday through Thursday, 8 a.m. to 5:00 p.m. at the address listed in question #4.

6. A timetable for agency decisions or other action on the proceeding, if known:

Not yet determined.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ENVIRONMENTAL QUALITY - AIR POLLUTION CONTROL

1. Title and its heading: 18, Environmental Quality

Chapter and its heading: 2, Department of Environmental Quality - Air Pollution Control

Article and its heading: 3, Permits and Permit Revisions

Section numbers: R18-2-304 and R18-2-310

2. The subject matter of the proposed rule:

The Arizona Department of Environmental Quality will be proposing further changes in permitting rules related to deficiencies in the state's Title V program.

3. A citation to all published notices relating to the proceeding:

None.

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Mark Lewandowski or Martha Seaman
Address: Department of Environmental Quality
3033 North Central Avenue
Phoenix, Arizona 85012
Telephone: (602) 207-2222
Fax: (602) 207-2251

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

To be announced in the Notice of Proposed Rulemaking.

6. A timetable for agency decisions or other action on the proceeding, if known:

To be announced in the Notice of Proposed Rulemaking.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ENVIRONMENTAL QUALITY - WATER POLLUTION CONTROL

1. Title and its heading: 18, Environmental Quality

Chapter and its heading: 9, Department of Environmental Quality - Water Pollution Control

Article and its heading: 3, Nonpoint Source Pollution Control

Section numbers: Sections to be determined

2. The subject matter of the proposed rule:

ADEQ is considering the promulgation of rules to implement A.R.S. § 49-202.01 and to establish a surface water quality general grazing permit. The rules will prescribe best management practices for grazing activities that ADEQ considers to be the most practical and effective means of reducing or preventing the nonpoint discharge of pollutants into surface waters from grazing activities. The rules will regulate other categories of nonpoint source pollution, including sand and gravel mining operations, nonpoint discharges from recreational activity, wildlife grazing, and urban storm water runoff. Finally, the rules will provide a Section 401 certification for nonpoint source discharge activities that require such certification under the Clean Water Act.

3. A citation to all published notices relating to the proceeding:

None.

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4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Melanie Barton
Address: Arizona Department of Environmental Quality
3033 North Central Avenue
Phoenix, Arizona 85012
Telephone: (602) 207-4443

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:
ADEQ will accept written comments on the proposed rules after the Notice of Proposed Rulemaking is published in the *Arizona Administrative Register*. Notice of the time and place where written comments may be made will be published in the Notice of Proposed Rulemaking.

6. A timetable for agency decisions or other action on the proceeding, if known:

A.R.S. § 49-202.01 requires that ADEQ adopt these rules within 180 days after receiving and considering the recommendations of the Grazing Best Management Practices Advisory Committee established by A.R.S. § 49-202.02.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF LIQUOR LICENSES AND CONTROL

1. **Title and its heading:** 19, Alcohol, Horse and Dog Racing, Lottery, and Gaming
Chapter and its heading: 1, Department of Liquor Licenses and Control
Article and its heading: 3, Unlicensed Premises Definitions and License Time-frames
Section numbers: R19-1-303

2. The subject matter of the proposed rule:

Adoption of Administrative Completeness Review Time-frames, Substantive Review Time-frames, Overall Time-frames.

3. A citation to all published notices relating to the proceeding:

None published.

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Myron Musfeldt
Address: Department of Liquor Licenses and Control
800 West Washington, Suite 500
Phoenix, Arizona 85007
Telephone: (602) 542-9041
Fax: (602) 542-6799

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:
Written and oral comments will be accepted Monday through Friday, 8 a.m. to 5 p.m., at the address listed in question #4, until the close of record. No date has been selected for the close of record and no oral proceedings have been scheduled.

6. A timetable for agency decisions or other action on the proceeding, if known:

To be determined.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF COMMERCE

1. **Title and its heading:** 20, Commerce, Banking, And Insurance
Chapter and its heading: 1, Department of Commerce
Article and its heading: 2, Independent Group Residence Program
Section numbers: R20-1-201 through R20-1-206

2. The subject matter of the proposed rule:

The rulemaking will repeal rules that apply to a program no longer in existence.

3. A citation to all published notices relating to the proceeding:

None published.

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Joan E. Laurence

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Address: Arizona Department of Commerce
3800 North Central Avenue, Suite 1400
Phoenix, Arizona 85012

Telephone: (602) 280-8181

Fax: (602) 280-1305

5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
Written and oral comments will be accepted Monday through Friday, 9 a.m. to 5 p.m., at the address listed in question #4.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
The Department expects to complete this rulemaking by September 1998.